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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/823,808

04/13/2004

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09/05/2007

EXAMINER

WEBB, TIFFANY LOUISE

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

09/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/823,808	<b>Applicant(s)</b> DUMBRIQUE, CONRAD C.	
	<b>Examiner</b> Tiffany L. Webb	<b>Art Unit</b> 3616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-11,13-29 and 31-50 is/are pending in the application.
- 4a) Of the above claim(s) 35-39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11, 13-29, 31-34, and 40-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 13 is objected to because of the following informalities: claim 13 depends from cancelled claim 12. The examiner believes to be an oversight and that claim 13 is meant to depend from claim 11. Appropriate correction is required.
2. Claim 22 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The claim from which 22 depends, already clearly states having a skin-and-foam overlay.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-4, 7, 10, 16-21, 24, 27-29, 31-32, 40-44, 47, and 50 are rejected under 35 U.S.C. 102(b) as being anticipated by Iwanaga (US 6,152,480). Regarding claims 1, 16, 17, 19, 27, 28, Iwanaga discloses an airbag module (see Figures 1 and 2) including: an airbag module cover (see Figures 1 and 2) including a substrate surface (11) that lacks a tear seam, an instrument panel adapter (see col. 6, lines 28-40), an airbag housing interlock (23, 56), with the airbag module cover (D1) being adapted to be integrated with an instrument panel substrate (21) to provide a surface suitable for

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receiving a decorative overlay of skin-and-foam (35, 37); an airbag module housing having an airbag case portion (53) and an airbag module cover interlock portion (see Figures 2 and 3), the module housing coupled to the airbag module cover (see Figure 1); and an airbag cushion (55) configured to deploy from the housing, wherein there is no visible seam between the substrate surface and the instrument panel when the airbag module is installed onto an interior of the vehicle, wherein the substrate surface is configured to receive the overlay to provide a suitable surface for use, wherein the substrate includes an orifice (see Figures 1 and 3) positioned below the decorative overlay. Regarding claims 3, 20, and 29, Iwanaga discloses the instrument panel adapter comprises a radial flange (32 and 13) extending from the substrate surface of the airbag module cover. Regarding claims 4 and 21, Iwanaga discloses the instrument panel adapter comprises a face of the module cover configured to be attached to an instrument panel (see Figures 1-3). Regarding claims 7, 24, and 32, Iwanaga discloses the airbag module cover further includes a tear seam (38). Regarding claim 10, Iwanaga discloses the airbag cushion is a passenger-side airbag cushion (see Figures 1-3). Regarding claim 18, Iwanaga discloses that the orifice of the airbag module cover adapter of the dashboard panel further includes an adapter channel (28, see Figure 2) having a depth sufficient to allow the airbag module cover to nest into the substrate surface of the primary dashboard panel without protruding through the panel. Regarding claims 40-44, 47 and 50, Iwanaga meets the limitations set forth by the apparatus claims, and further meet the limitations of the claims to the method of constructing the instrument panel. Iwanaga discloses having an airbag assembly

including a cover and airbag housing and can inherently be assembled using the method claimed by the applicant.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-6, 11, 13, 23, 31, and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwanaga in view of Davidson (US 5,474,323). Iwanaga is discussed above and fails to disclose having a plurality of locking fingers extending from the cover that are configured to join the airbag module cover with the airbag module. However, Davidson discloses having a plurality of locking fingers extending from the cover (30, 31, 32, 33, 34, 35, 36, 37, 38) that are used to interlock and join the cover to the airbag module (18, 17, 19, and 26). It would have been obvious to one having ordinary skill in the art at the time of the invention to put the locking system of Davidson on Iwanaga, instead of the locking system used, to ensure better security between the cover and module.

7. Claims 8, 14, 25, 33 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwanaga in view of Davidson and further in view of Yokota ((US 6,406,056). Iwanaga is discussed above and fails to disclose having the tear seam

being molded, stamped, or punched into the airbag cover. Yokota discloses the tear seam is molding, stamped or punched into the airbag module cover (col. 3, lines 13-24). It would have been obvious to one having ordinary skill in the art at the time of the invention to have created the tear seam in Iwanaga, using the process disclosed in Yokota because it has been shown that these process can be used to form the tear seam.

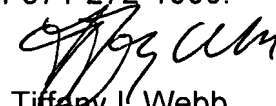
8. Claims 9, 15, 26, 34, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwanaga in view of Davidson and further in view of Bauer (US 5,744,776). Iwanaga is discussed above and fails to disclose having a tear seam that is laser scored. Bauer discloses having an apparatus for laser pre-weakening device for airbag deployment covers (abstract). Bauer also discloses the tear seams being created to be an invisible seam (col. 2, lines 24-26). It would have been obvious to one having ordinary skill in the art at the time of the invention to have created the tear seam of Iwanaga through the laser scoring process of Bauer in order or provide highly accurate and efficient manufacture process.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiffany L. Webb whose telephone number is 571-272-2797. The examiner can normally be reached on 8-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tiffany L Webb  
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Art Unit 3616

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